

CHRIS ZHEN (State Bar No. 275575)
chris.zhen@zhenlawfirm.com
ZHEN LAW FIRM
5670 Wilshire Blvd #1800
Los Angeles, CA 90036
Telephone: (213) 935-0715

*Attorney for Defendant
OptraHealth, Inc.*

K. Lee Marshall (SBN #277795)
klmarshall@bclplaw.com
BRYAN CAVE LEIGHTON PAISNER LLP
Three Embarcadero Center, 7th Floor
San Francisco, California 94111
Telephone: (415) 675-3444

Erin A. Kelly (Admitted *pro hac vice*)
erin.kelly@bclplaw.com
BRYAN CAVE LEIGHTON PAISNER LLP
1700 Lincoln Street, Ste. 4100
Denver, CO 80203
Telephone: (303) 861-7000

*Attorneys for Plaintiff
Invitae Corporation*

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

INVITAE CORPORATION,

Plaintiff,

v.

OPTRAHEALTH, INC.,

Defendant.

Case No. 4:22-cv-00784-HSG

**STIPULATION OF DISMISSAL AND
ORDER OF DISMISSAL**

STIPULATION AND ORDER OF DISMISSAL

1 Plaintiff Invitae Corporation and Defendant OptraHealth, Inc., by their respective
2 undersigned counsel, hereby STIPULATE and AGREE as follows:

- 3 1. All claims asserted by Plaintiff in this Action are dismissed without prejudice;
4 2. All counterclaims asserted by Defendant in this Action are dismissed with prejudice;
5 3. Each party shall bear its own costs and attorneys' fees with respect to the matters
6 dismissed hereby;
7 4. This Court retains jurisdiction over the parties for purposes of enforcing the
8 Settlement Agreement and this Stipulation and Order; and
9

10 Respectfully submitted,

11 Dated: December 6, 2022

12 By: /Chris J. Zhen/
13 Chris Zhen (SBN #275575)
14 chris.zhen@zhenlawfirm.com
15 Hogan Ganschow (SBN #256137)
16 hogan.ganschow@zhenlawfirm.com
17 Zhen Law Firm
18 5670 Wilshire Blvd #1800 Los
19 Angeles, CA 90036 Telephone: (213)
20 935-0715

21 Attorneys for Defendant OptraHealth,
22 Inc.

By: /Erin A. Kelly/
K. Lee Marshall (SBN #277795)
klmarshall@bclplaw.com
BRYAN CAVE LEIGHTON
PAISNER LLP
Three Embarcadero Center, 7th Floor
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PAISNER LLP
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Denver, CO 80203
Telephone: (303) 861-7000

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*Attorneys for Plaintiff Invitae
Corporation*

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, the claims in this action are dismissed without prejudice and the counterclaims in this action are dismissed with prejudice. Each party shall bear its own costs and attorneys’ fees.

IT IS SO ORDERED this _____day of _____, 2022.

The Honorable Haywood S. Gilliam, Jr.
U.S. District Judge

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CERTIFICATE OF SERVICE

This is to certify that on the 7th day of December 2022, I electronically filed the foregoing Stipulation of Dismissal and Order of Dismissal using the Court's CM/ECF filing system which sends notification of such filing to all parties and/or counsel of record.

DATED: December 7, 2022 By: /s/ Chris J. Zhen
Chris J. Zhen